

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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UNITED STATES OF AMERICA,	:	
	:	
Government,	:	22 CR. 397 (RMB)
	:	
- against -	:	<u>ORDER</u>
	:	
STEPHEN BUYER,	:	
Defendant.	:	
-----X		

Having reviewed the Government's pre-trial discovery letter motion, dated December 28, 2022, and the Defendant's response letter, dated January 3, 2023, the Court orders the following pre-trial disclosure schedule:

January 10, 2023: The Government provides notice (consistent with the requirements of Federal Rule of Criminal Procedure 16 ("Rule 16")) to the Defendant of evidence it may seek to offer pursuant to Federal Rule of Evidence 404(b).

The Government provides notice, consistent with Rule 16, to the Defendant of experts potentially to be called during its case-in-chief.

January 17, 2023: The Defendant produces material covered by Rule 16(b)(1)(A).

January 24, 2023: The Government provides to the Defendant material covered by 18 U.S.C. § 3500 and *Giglio v. United States*, 405 U.S. 150 (1972), to the extent it was not previously produced to the Defendant.

January 31, 2023: The Government provides to the Defendant a list of exhibits the Government reasonably expects to seek to introduce during its case-in-chief. This exhibit list will be subject to good-faith revision as the Government continues to prepare its case for trial, including in response to the Defendant's lists of proposed exhibits that Defendant seeks to introduce into evidence during the Government's case-in-chief.

The Defendant provides notice, consistent with Rule 16, of experts potentially to be called during his case-in-chief and any rebuttal experts potentially to be called in response to the Government's expert disclosure.

February 7, 2023: The Government provides to the Defendant a list of witnesses whom the Government reasonably expects to call in its case-in-chief.

February 14, 2023: The Government provides notice, consistent with Rule 16, to the Defendant of any rebuttal experts potentially to be called in response to the Defendant's expert disclosures.

The Defendant provides to the Government a list of witnesses whom the Defendant reasonably expects to call in his case-in-chief.

The Defendant provides to the Government a list of exhibits that the Defendant reasonably expects to seek to introduce during trial for non-impeachment purposes. This exhibit list will be subject to good faith revision as the Defendant continues to prepare for his case.

The Defendant provides to the Government material covered by Federal Rule of Criminal Procedure 26.2.

This schedule supplements the trial submissions schedule included in the Court's September 27, 2022 Order. *See* ECF 22.

The parties are reminded that if they think that there is something pressing that requires the Court's attention, they must write a letter to the Court and seek permission to make a motion. *See* Hr'g Tr., dated Dec. 14, 2022, at 2:8–11.

Dated: New York, New York

January 6, 2023

A handwritten signature in black ink, appearing to read 'RMB', is written above a horizontal line.

**RICHARD M. BERMAN, U.S.D.J.**